

EXPRESS MAIL NO. EV333997848US

**NOTICE OF APPEAL  
FROM THE EXAMINER TO THE  
BOARD OF PATENT APPEALS**

|                      |                   |
|----------------------|-------------------|
| Customer Number      | 24353             |
| Application Number   | 09/641,034        |
| Confirmation Number  | 3757              |
| Filing Date          | August 16, 2000   |
| First Named Inventor | YONEDA, TOSHIYUKI |
| Examiner Name        | MAYES, LAURIE A.  |
| Group Art Unit       | 1653              |
| Attorney Docket      | BEAR-006          |

Sir:

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner dated, August 22, 2003 finally rejecting claims 1-5,7-9 and 12-16.

The fee for this Notice of Appeal is (37 C.F.R. § 1.17(b)): \$ 330.00

☒ Applicant claims small entity status. See 37 C.F.R. § 1.27.

Therefore, the fee shown above is reduced by 1/2, and the resulting fee is: \$ 165.00

☒ A petition for an extension of time under 37 C.F.R. § 1.136(a) from ~~November~~ December 22, 2003 to February 22, 2004 is requested.

The total extension fee is: \$ 475.00

Total amount to be charged to Deposit Account 50-0815: \$ 640.00

The Commissioner is authorized to charge any fees which may be required, or credit any overpayment to Deposit Account 50-0815. If additional fees are required, including extensions of time, please consider this a petition therefore. A duplicate copy of this sheet is enclosed.

I am the:

☐

applicant/inventor

☐

assignee of record of the entire interest.

See 37CFR 3.71. Statement under 37 C.F.R. § 3.73(b) is enclosed.

☒

attorney or agent of record

☐

attorney or agent acting under 37 CFR 1.34(a)

Registration number if acting under 37 C.F.R. § 1.34(a). \_\_\_\_\_

02/26/2004 AWONDAF1 00000108 500815 09641034

01 FC:2401 165.00 DA  
02 FC:2253 475.00 DA

Date: Feb. 18, 2004

Respectfully submitted,

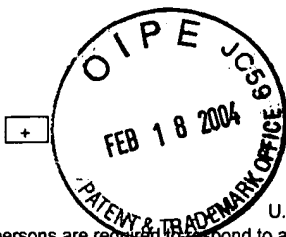
BOZICEVIC, FIELD &amp; FRANCIS LLP

By: 

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02-20-04

Image 1653  
AF #

PTO/SB/21 (05-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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|  |   |   |
|--|---|---|
| <b>TRANSMITTAL FORM</b><br><br>(to be used for all correspondence after initial filing)  | Application Number  | 09/641,034  |
|  | Filing Date   | August 16, 2000   |
|  | First Named Inventor  | YONEDA, TOSHIYUKI   |
|  | Group Art Unit  | 1653  |
|  | Examiner Name   | MAYES, LAURIE A.  |
| Total Number of Pages in This Submission   | Attorney Docket Number  | BEAR-006  |
| <b>ENCLOSURES (check all that apply)</b>   |   |   |
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment / Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Documents<br><input type="checkbox"/> Response to Missing Parts/ Incomplete Application<br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an Application)<br><input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s)<br><br>Remarks | <input type="checkbox"/> After Allowance Communication to Group<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>1) Notice of Appeal + Duplicate (2 pgs.)<br>2) Return Postcard |
| <b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>  |   |   |
| Signing Attorney/Agent (Reg. No.)  | PAULA A. BORDEN, 42,344<br>BOZICEVIC, FIELD & FRANCIS LLP   |   |
| Signature  |   |   |
| Date   | February 18, 2004   |   |

**EXPRESS MAIL LABEL NO. EV333997848US**

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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